

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:22-cv-293-JRG
vs.	)	
	)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO, LTD;	)	(Lead Case)
SAMSUNG ELECTRONICS AMERICA,	)	
INC.; SAMSUNG SEMICONDUCTOR	)	
INC.,	)	
	)	
Defendants.	)	

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NETLIST, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 2:22-cv-294-JRG
	)	
	)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.; MICRON	)	
SEMICONDUCTOR PRODUCTS, INC.;	)	
MICRON TECHNOLOGY TEXAS LLC,	)	
	)	
Defendants.	)	

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**DECLARATION OF YANAN ZHAO IN SUPPORT OF NETLIST, INC.'S  
MOTION FOR A PROTECTIVE ORDER PREVENTING SAMSUNG  
DEFENDANTS FROM SEEKING THIRD-PARTY DISCOVERY FROM  
NETLIST'S FORMER IN-HOUSE COUNSEL**

**I, Yanan Zhao, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel for Plaintiff Netlist, Inc. (“Netlist”) in the above captioned action. I am a member of good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Motion for a Protective Order Preventing Samsung Defendants from Seeking Third-Party Discovery from Netlist’s Former In-House Counsel.

2. Attached as **Exhibit 1** is a true and correct copy of Non-Party Noel Whitley’s Responses and Objections to Defendants’ Document Production Subpoena, dated September 25, 2023.

3. Attached as **Exhibit 2** is a true and correct copy of an email exchange between Counsel for Samsung and Counsel for Netlist dated October 25 and 26, 2023.

4. Attached as **Exhibit 3** is a true and correct excerpted copy of Netlist’s Initial Disclosures and Additional Disclosures in this action, dated December 8, 2022.

5. Attached as **Exhibit 4** is a true and correct excerpted copy of Samsung’s Amended Initial and Additional Disclosures in this action, dated October 13, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 6, 2023, in Los Angeles, California.

By /s/ Yanan Zhao  
Yanan Zhao